MANITOBA

ANNUAL REPORT

1982

The Manitoba Labour Management Review Committee

Telephone: 944-3413

THE MANITOBA LABOUR MANAGEMENT REVIEW COMMITTEE

Room 604, Norquay Building Winnipeg, Manitoba, R3C 0V8

The Honourable Mary Beth Dolin,
Minister of Labour and Manpower,
Province of Manitoba,
Room 343 Legislative Building,
Winnipeg, Manitoba
R3C 0V8

Dear Mrs. Dolin:

On behalf of the Manitoba Labour-Management Review Committee, I have the honour to submit to you its Annual Report for the year ending December 31, 1982.

The Committee hopes the report will be informative and useful to members of the Legislative Assembly.

Yours truly,

G. C. MacLean, Q.C.
Chairperson,
Manitoba Labour-Management
Review Committee

ANNUAL REPORT OF THE MANITOBA LABOUR-MANAGEMENT REVIEW COMMITTEE

January to December 1982

Origin and Background

The Manitoba Labour-Management Review Committee is commissioned to undertake a continuing and comprehensive review of labour legislation and labour-management relations in the province.

This joint Committee, with equal representation from labour and management, came into being as the culmination of a process which began in 1963. Several joint labour-management seminars were held over a 12-month period which were designed to examine the main aspects of industrial relations in Manitoba. Labour and management representatives attended these sessions, and a consensus developed that the establishment of a permanent Committee representing both parties would make a valuable contribution to labour-management relations. In the Speech from the Throne of February 1964, the government forecast action on this matter. Two months later the Committee was established and its existence was unanimously approved by a resolution of the Legislature.

Purpose

The Joint Committee was designed to fulfill a two fold purpose. First, it was charged with the specific responsibility of reviewing labour legislation as embodied in various Acts of the Manitoba Legislature. The second purpose was to undertake, at the Committee's own discretion, a far-reaching examination of common problems. There was no thought that these problems would necessarily be solved, but rather that discussion would lead labour and management to a better understanding of each other's point of view. Ultimately such an undertaking might lead to an intangible, but virtually important improvement, in labour-management relations within the Province. There is agreement that progress has been made on both fronts.

Statement of Principles

The principles which have guided the Committee in attempting to fulfill its purpose, adopted early in the Committee's history are as follows:

> That labour members have the obligation to look after the labour interests; that management members have the obligation to look after management interests; that each member should prepare to co-operate with the Chairman and other members of the Committee and should have a sense of responsibility to the process itself, an attitude of integrity and good faith; that each member should approach the work with the intention of giving it honest support and effort, with flexibility of mind and patience, avoiding pre-judging; listening and evaluating carefully, in an attempt to understand the position of others and;

That within the framework of the foregoing, the Committee should give recognition to the importance of legislation which protects fundamental rights and freedoms of employees, employers, unions, and employers' associations, and enforcement provisions designed to induce appropriate patterns of behaviour in labour relations.

Membership and Methods of Operation

The Committee functions at various levels and through the operation of several groups.

From its inception until 1975, the membership of the Committee consisted of a Chairman, Vice-Chairman and an equal number of labour and management members, nominated by several sponsoring groups. The Manitoba Federation of Labour was asked to name 12 labour representatives to the Committee. Organizations representative of management - The Canadian Manufacturers' Association, The Chamber of Commerce, The Mining Association of Manitoba Incorporated, and the Winnipeg Construction Association (Winnipeg Builders' Exchange) were asked jointly to name 12 members. In 1975, the Committee's membership was more than doubled to include representatives of employees and employers in various public service areas of the Province, including the Provincial civil service, Crown corporations, health care facilities, public schools, universities and municipal government, including fire and police services. The expanded Committee also included representatives of agencies such as The Civil Service Commission, The University Grants Commission, and The Manitoba Health Services Commission which are representative neither of the employer nor the employee side,

but nonetheless are interested in labour-management related and the collective bargaining process in the public sector. The sponsoring groups are asked periodically to review their membership on the Committee and to name replacements as required. Nominations for membership on the Committee are submitted to the Minister of Labour and Manpower for endorsation before informing the nominees of their formal appointment.

Meetings of the whole Committee are held at the discretion of the members.

Until September of 1982, a Sub-Committee, consisting of six labour and six management members equally representative of both the private and public sectors, existed to facilitate discussion of matters in detail and to plan the Committee's work within guidelines established by the Committee as a whole. This group met more frequently and reported its recommendations to the whole Committee, for approval, rejection, or amendment.

The Committee also operated through two panels - one consisting of all the private sector labour and management members, the other of all representatives from the public services and agencies. The intent was to enable members to concentrate on their special areas of interest. Recommendations from either of these panels were reviewed by the Sub-Committee and were subject to final consideration by the whole Committee.

The Committee has felt since its inception that, in general, free and frank discussions would be assisted if meetings were held in camera.

The minutes of meetings and reports of work groups are therefore confidential to members of the Committee and their alternates - no members are named in the proceedings. Formal communication with the government or outside groups is carried on at the discretion of the member.

From time to time the Committee decides to examine issues of broad interest to labour and management and therefore organizes seminars or conferences to which other interested individuals and groups are invited. The proceedings of these conferences are published when they are left to be of lasting value and of interest to a wide readership.

The Committee was assisted in its work by the research facilities of the Manitoba Department of Labour and Manpower. Staff of the Department also functions as the Committee's secretariat. In addition, the Department provides financial support for Committee conferences and for engaging outside experts to prepare studies or to address the Committee to assist it in gaining knowledge and perspective on particular problems.

When the Committee arrives at a decision, with majority support from each side, the recommendations for action are then forwarded to the government or to the appropriate body. Such recommendations may or may not be made public at the Committee's discretion.

Labour and management members serve voluntarily on the Committee without remuneration for the time they devote to its work.

REVIEW OF 1982

Although the work of the Committee continued at a reduced level, mostly in the Construction and Health Sectors, 1982 was nonetheless a privotal year in the evolution of this body, with its total restructuring, thus culminating efforts which began two years ago to make this a more compact, responsive and representative entity.

Re-organization of the Manitoba Labour-Management Review Committee

As noted in previous reports, the structure of the Committee has, since 1975, been cumbersome and unworkable. The major problem in this regard was that it was not possible to generate enough activity to keep this large body with diverse interests sufficiently active in issues of common concern. For example, the work of the Committee over the past five years has centred mainly on the health care field and on the construction industry, leaving other vital sectors largely unexplored.

As a result, the full Committee has not met since December 1977, and the private and public sector panels had not met for some considerable time.

The membership of the Committee, established in 1975, had not been reviewed or updated since that time.

In 1980, the Sub-Committee began discussing proposals for a complete review of the Committee structure. The sub-committee had two main objectives in this review: to reduce the unwieldy size of the Committee, while retaining its broad representative structure;

and to simplify the structure itself.

In mid 1982, the sub-committee approved and forwarded to the Minister of Labour and Manpower, a proposal providing for eleven sectors, with ten specific industrial sectors and one sector representing labour and management-at-large. Labour and Management from each sector were asked to provide a nominee to the main committee, for a total of twenty-two members.

In this way, it is hoped that when specific industrial sector-related issues appear, that sector with the most expertise and experience in the area will be able to deal with the problem.

As of the end of 1982, representation for seven sectors; Mining and Processing, Manufacturing, Construction, Health, Schools Provincial Public Service and Labour and Management-at Large had been decided. Work is continuing on finding appropriate representation on the remaining four sectors.

The first meeting of the reformed Committee was held in September, with a subsequent meeting held in November.

Topics under discussion included the placement of the Canada Day Holiday when July first falls on a weekend and a study of the need to train labour arbitrators.

HOSPITAL SECTOR WORKING PARTY

The Chairman and Vice-Chairman met several times with the Hospital Sector Working Party in an effort to finalize an Essential Services Agreement to be used in the event of a work stoppage in the Health Sector. Meetings have taken place with

the individual sides and jointly with both sides.

It now appears that such an agreement will be finalized early in 1983. Due to a lack of agreement on the Essential Services proposal, the Human Relations Seminar at Hecla Island, which was described in the 1981 report, was cancelled.

Construction Industry Working Party

In late 1980, in an effort to ameliorate the effects of high unemployment and the resultant potential for out-migration from Manitoba, a special committee was formed by the working party to initiate a program of skill upgrading for unemployed construction trade workers. This special committee consisted of representatives from labour and management in the construction industry, and of representatives from the Provincial Department of Education, Labour and Manpower, Education and the Federal Canada Employment and Immigration Commission.

Though relatively successful in 1981, the program, for a number of reasons, including a reduced availability of potential trainees, the problems with the waiting period for training allowances from the CEIC, had only limited success in 1982-83.

Employer Check-Off in 1982 Collective Agreement

In 1982, the Construction Labour Relations Association and the various construction trades union locals came to an impasse over the issue of a CLRA membership fee for contractors using union labour.

Work stoppages were avoided when the parties enlisted the aid of the Committee to draft a memorandum of agreement acceptable to both sides.

Special Thanks

The Committee would like to express its appreciation and thanks for the many years of effort and contribution provided by the following members of the Sub-Committee which was disbanded in September of 1982.

Labour	Management
J. A. Coulter	G. A. Keates
R. J. Henderson	S. Neal
J. James	T. G. Venn
N. Durand	

APPENDIX A

COMMITTEE MEMBERSHIP

AND

WORKING PARTY MEMBERSHIPS

COMMITTEE MEMBERSHIP

SECTOR

MANAGEMENT		LABOUR
Paul Hart	Provincial Public Service	Gary Doer
Ray Whiteway	Schools	Wally Pindera
David Newman	Labour/Management at Large	Dick Martin
Hank Bloy	Mining and Processing	Eugene Laye
Dennis Sutton	Manufacturing	Bob Biggar
Brian Seigner	Health	Irene Giesbrecht
Lloyd Simmons	Construction	Leo Desilets

Chairman	G. Campbell MacLean
Vice-Chairman	John Atwell
Secretary	Alec Jasen

Gov't Representative - Gordon Boucher

Hospital Sector Working Party

Labour	Management
Clive Derham	L. A. Quaglia
Gary Doer	Peter Swerhone
Irene Giesbrecht	Ted Bartman
Chairman	G. Campbell MacLean
Vice-Chairman	John Atwell

Special Committee on Construction Trades Upgrading*

Labour	Management
Leo Desilets	R. Glass
Provincial Government	**Federal Government**
D. McCulloch	R. James
E.A. Ramsay	D. Macey

* The above membership represents the core of a flexible group which calls on representatives of other bodies as needed for their input in particular areas of expertise.

APPENDIX B

COMMITTEE MEETINGS

Meetings of the Manitoba Labour Management Review Committee

Committee Meetings	Number of Meetings
1. Whole Committee (as it existed prior to September 1982)	0
2. Whole Committee (restructured)	2
3. Sub-Committee (disbanded in September 1982)	4
4. Construction Industry Working Party	2
5. Special Committee on Construction Trades Upgrading	3